



IPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 09095.0009-01000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Wang et al.	)	Group Art Unit: 1614
	)	
Application No.: 10/773,332	)	Examiner: Not Yet Assigned
	)	
Filed: February 9, 2004	)	
	)	
For: ARYL PHENYLHETEROCYCLYL	)	Confirmation No.: 8910
SULFIDE DERIVATIVES AND	)	
THEIR USE AS CELL ADHESION	)	
INHIBITING ANTI-		
INFLAMMATORY AND IMMUNE-		
SUPPRESSIVE AGENTS		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, application no. 09/888,840, filed June 25, 2001, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants note that an error was made in the citation of Wegner et al., "Intercellular Adhesion Molecule-1 Contributes to Pulmonary

Oxygen Toxicity in Mice: Role of Leukocytes Revised", *Lung*, 170:267-279 (1992) in the '840 application. This Wegner article was cited in the parent '840 application as being in *J. Immunol.*, 154:1350-1363 (1995), which is the correct citation of the Mulligan reference, Mulligan et al., "Compartmentalized Roles for Leukocytic Adhesion Molecules in Lung Inflammatory Injury", *J. Immunol.*, 154:1350-1363 (1995). The present Form 1449 gives the correct citation of both the Wegner and Mulligan references. Copies of these two references are enclosed for consideration by the Examiner.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

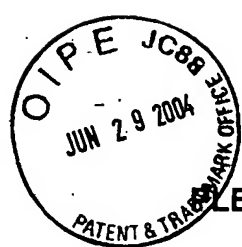
If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 29, 2004

By: *Maria T. Bautista*  
Maria T. Bautista  
Reg. No. 52,516



**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

In re Application of: Wang et al.

Application No.: 10/773,332

Group Art Unit: 1614

Filed: February 9, 2004

Examiner: Not Yet Assigned

For: ARYL PHENYLHETEROCYCLYL SULFIDE DERIVATIVES AND THEIR USE AS  
CELL ADHESION-INHIBITING ANTI-INFLAMMATORY AND IMMUNE-  
SUPPRESSIVE AGENTS

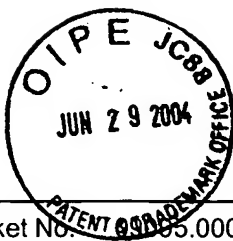
- 
1. Information Disclosure Statement (3 pages)
  2. PTO 1449 Form (7 pages)
  3. Reference(s) Enclosed (2)

Dated June 29, 2004

Docket No.: 09095.0009-01000

Due Date: None

MTB/GXP/J.Leveille - CAMBRIDGE



# INFORMATION DISCLOSURE CITATION

Atty. Docket No.	09805.0009-01000	Appln. No.	10/733,332
Applicant	WANG et al.		
Filing Date	February 9, 2004	Group:	1614

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	3,948,893	04/06/1976	Aichinger et al.	260	248	03/18/1974
	4,973,599	11/27/1990	Gilman et al.	514	398	03/14/1989
	5,028,629	07/02/1991	Hite et al.	514	575	03/28/1990
	5,208,253	05/04/1993	Boschelli et al.	514	443	02/24/1992
	5,776,951	07/07/1998	Arrowsmith et al.	514	328	04/11/1996
	5,817,862	10/06/1998	Poetsch et al.	560	104	08/22/1996
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	6,110,922	08/29/2000	Link et al.	514	259	12/29/1998
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	S/N 09/541,795		Link et al.			03/31/2000
	S/N 09/606,717		Wang et al.			06/29/2000
	S/N 09/695,040		Gunawardana			10/24/2000

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Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
AT 392 788 B	06/10/1991	Austria	C07D	401/12	No
DE 2 123 383	02/12/1971	Germany	C07B	29/00	No
EP 0 219 756 A1	04/29/1987	Europe	C07D	295/18	No
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	WO 96/26921	09/06/1996	PCT	C07C	317/44	No
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	WO 00/15604	03/23/2000	PCT	C07C	235/20	No
	WO 00/15645	03/23/2000	PCT	C07F	9/572	No
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Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce